

# The Gazette



# of India

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## NOTICE

The undermentioned *Gazettes of India Extraordinary* were published upto the 3rd April, 1959.

Issue No.	No. and date	Issued by	Subject
31.	No. R. S. 1/2/59-L, dated 28th March, 1959.	Rajya Sabha Secretariat	The President summons the Rajya Sabha to meet on 20th April, 1959.
33.	No. 20-ITC(PN)/59, dated 31st March, 1959.	Ministry of Commerce and Industry	Requests for issue of licences or Customs Clearance <b>Permits</b> for replacement of goods short-supplied, short-landed, lost in transit, or those goods found defective or otherwise unfit for use
34.	No. 21-ITC(PN)/59, dated 2nd April, 1959.	Do.	Licensing of Machine Tools falling under Part VI of the I.T.C. Schedule to Established Importers during the period April—September, 1959.
	No. 22-ITC(PN)/59, dated 2nd April, 1959.	Do.	Basic period for chemicals—extension of.
35.	No. 23-ITC(PN)/59, dated 3rd April, 1959.	Do.	Issue of licences to certain scheduled industries for import of raw materials and components on yearly basis.

Copies of the *Gazettes Extraordinary* mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these *Gazettes*.

## CONTENTS

	PAGES		PAGES
PART I—SECTION 1.—Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court . . . . .	95	PART II—SECTION 3.—SUB-SECTION (ii).—Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories) . . . . .	549
PART I—SECTION 2.—Notifications regarding Appointments, Promotions, Leave, etc. of Government Officers issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court . . . . .	181	PART II—SECTION 4.—Statutory Rules and Orders notified by the Ministry of Defence . . . . .	34
PART I—SECTION 3.—Notifications relating to Non-Statutory Rules, Regulations, Orders and Resolutions, issued by the Ministry of Defence . . . . .	Nil	PART III—SECTION 1.—Notifications issued by the Auditor General, Union Public Service Commission, Railway Administration, High Courts, and the Attached and Subordinate Offices of the Government of India ( <i>Published at Simla</i> ) . . . . .	413
PART I—SECTION 4.—Notifications regarding Appointments, Promotions, Leave, etc. of Officers, issued by the Ministry of Defence . . . . .	89	PART III—SECTION 2.—Notifications and Notices issued by the Patent Office, Calcutta ( <i>Published at Simla</i> ) . . . . .	93
PART II—SECTION 1.—Acts, Ordinances and Regulations . . . . .	Nil	PART III—SECTION 3.—Notifications issued by or under the authority of Chief Commissioners ( <i>Published at Simla</i> ) . . . . .	183
PART II—SECTION 2.—Bills and Reports of Select Committees on Bills . . . . .	Nil	PART III—SECTION 4.—Miscellaneous Notifications including notifications, orders, advertisements and notices issued by Statutory Bodies ( <i>Published at Simla</i> ) . . . . .	145
PART II—SECTION 3.—SUB-SECTION (i)—General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories) . . . . .	515	PART IV—Advertisements and Notices by Private individuals and Private bodies ( <i>Published at Simla</i> ) . . . . .	63

**PART I—Section 1**

**Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court**

**MINISTRY OF FOOD & AGRICULTURE**

(Department of Agriculture)

New Delhi, the 21st March 1959

No. 74/58-LD.—In pursuance of rule 1(2) of the Rules and Regulations of the Central Council of Gosamvardhana, the Central Government are pleased to nominate Shri Purushottam Das Tandon, Member, Rajya Sabha, as a member of the Council.

K. C. SARKAR, Under Secy.

**MINISTRY OF HEALTH**

New Delhi, the 3rd April 1959

No. F.4-I/59-FP.—The following persons have been appointed as members of the Family Planning Board constituted by the Government of India in the Ministry of Health Resolution No. I-65/56-HII, dated the 1st September, 1956.

1. Dr. (Mrs.) K. Atchamamba, M.P.
2. Shrimati Leelavati Magadi, Deputy Minister, Government of Mysore.
3. Shrimati Padmani Sen Gupta.

H. C. THAPAR, Dy. Secy.

**MINISTRY OF IRRIGATION & POWER****RESOLUTION**

New Delhi, the 31st March 1959

No. DW.III-12(27)/58.—In paragraph 5 of the late Ministry of Natural Resources & Scientific Research Resolution No. DW.II-12(27), dated the 27th March, 1952, as amended from time to time, for the existing item (iv), the following may be substituted:—

"(iv) Joint Secretary, Ministry of Finance, Government of India, or his representative....Member."

P. K. SARKAR, Dy. Secy.

**MINISTRY OF TRANSPORT & COMMUNICATIONS**

(Department of Transport)

(Transport Wing)

TRAINING SHIP

New Delhi, the 1st April 1959

No. 21-MT(46)/57.—In partial modification of the Ministry of Transport & Communications, Department of Transport (Transport Wing) Notification No. 21-MT(46)/57, dated the 16th January, 1959 reconstituting the Governing Body of the Training Ship "DUFFERIN", Capt. C. Sankunni, who has been nominated by the Dufferin Old Cadets' Association, is appointed as a member of the said Governing Body with effect from the 31st December 1958.

S. K. VENKATACHALAM, Dy. Secy.

**MINISTRY OF INFORMATION & BROADCASTING**

New Delhi-2, the 2nd April, 1959

No. 21/19/58-FC.—It is hereby notified that in pursuance of rule 24 of the Rules concerning the State Awards for Films published in the Resolution of the Government of India in the Ministry of Information and Broadcasting No. 21/5/58-FC, dated the 8th December, 1958, Government have approved the

recommendations of the Central Committee of State Awards for giving Awards to the following films, namely:—

Sl. No.	Title of the film	Award
1	All-India Awards (a) Feature Films 1 "Sagar Sangame" (Bengali)	President's Gold Medal for the best feature film and a cash prize of Rs. 20,000 (Rupees twenty thousand only) to its Producer and Rs. 5,000 (Rupees five thousand only) to its Director.
2	"Jalsaghar" (Bengali)	All-India Certificate of Merit for the second best feature film and a cash prize of Rs. 10,000 (Rupees ten thousand only) to its Producer and Rs. 2,500 (Rupees two thousand and five hundred only) to its Director.
3	"School Master" (Kannada)	All-India Certificate of Merit for the third best feature film.
4	(b) Documentary Films 1 "Radha Krishna" (English)	President's Gold Medal for the best documentary film and a cash prize of Rs. 4,000 (Rupees four thousand only) to its Producer and Rs. 1,000 (Rupees one thousand only) to its Director.
5	2 "The Story of Dr. Karve" (English)	All-India Certificate of Merit for the second best documentary film and a cash prize of Rs. 2,000 (Rupees two-thousand only) to its Producer and Rs. 500 (Rupees five hundred only) to its Director.
6	3 "Call of the Mountains" (English)	All-India Certificate of Merit for the third best documentary film.
7	(c) Children's Films 1 "Virsa and the Magic Doll" (English)	All-India Certificate of Merit (without a cash prize).
	Regional Awards Feature Films (a) Hindi 1 "Madhumati"; 2 "Lajwanti"; 3 "Karigar"	President's Silver Medal Certificate of Merit Certificate of Merit
	(b) Marathi 1 "Dhakti Jao"	Certificate of Merit
	(c) Bengali 1 "Sagar Sangame"	President's Silver Medal
	2 "Jalsaghar"	Certificate of Merit
	3 "Dak-Harkara"	Certificate of Merit
	(d) Assamese 1 "Ronga Police"	President's Silver Medal
	(e) Tamil 1 "Thangapadumai"; 2 "Annayin Anai"	Certificate of Merit Certificate of Merit
	(f) Telugu 1 "Pellinatti Pramanalu"; 2 "Mangalya Balam"	President's Silver Medal Certificate of Merit
	(g) Kannada 1 "School Master"	President's Silver Medal
	(h) Malayalam 1 "Nair Pidicha Pulivaal"; 2 "Randidangazhi"	Certificate of Merit Certificate of Merit

V. KUMAR, Dy. Secy.

## MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 2nd April 1959

No. LR-II-10(77)/58.—The following decision of Shri P. D. Vyas, Central Government Industrial Tribunal, Nagpur at Bombay, in respect of a matter referred to him under section 6 of the Industrial Disputes (Banking Companies) Decision Act, 1955 (41 of 1955) by the order of the Government of India in the Ministry of Labour & Employment No. S. O. 641, dated the 21st March 1959, is hereby published for general information.

BEFORE SHRI P. D. VYAS, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY

REFERENCE (CGIT) No. 1 of 1959

BETWEEN

Certain workmen of the Central Bank of India Limited represented by the U.P. Bank Employees Union (Kanpur Unit),

AND

The Central Bank of India Limited.

In the matter of an interpretation of paragraph 548 of the Bank Award under section 6(1) of the Industrial Disputes (Banking Companies) Decision Act, 1955.

APPEARANCES

Shri K. K. Mundul, Vice President, All India Bank Employees Association—for the workmen.

Shri S. D. Vimadalal, Bar-at-law instructed by M/s. Aldevir Harmusji Dinshaw & Co. Solicitors—for the Bank.

## DECISION

Certain workmen of the Central Bank of India Ltd. represented by the U.P. Bank Employees Union (Kanpur Unit) having demanded payment of conveyance allowance to the godown keepers in respect of their official visits to godowns to and from the Bank's premises under paragraph 548 of the award of the All India Industrial Tribunal (Bank Disputes), Bombay constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35 dated the 5th January, 1952, as modified by the decision of the Labour Appellate Tribunal in the manner referred to in section 3 of the Industrial Disputes—(Banking Companies) Decision Act, 1955 and the Central Government being of the opinion that a difficulty or doubt has arisen as to the interpretation of paragraph 548 of the said award—in respect of the matter specified in the schedule annexed to its order of reference, has made the present reference to me as Industrial Tribunal in exercise of the powers conferred by sub-section (1) of section 6 of the said Act under Order No. LRII/10(77)/58 dated 14th March 1959.

2. The Schedule specifying the matter in dispute and annexed to the Government Order of reference stands thus:

"Whether having regard to the terms of appointment and the nature of duties expected of them and the provisions of paragraph 548 of the Award of the All India Industrial Tribunal (Bank Disputes) constituted by the notification of the Government of India in the Ministry of Labour No. S.R.O. 35, dated the 5th January, 1952, modified as aforesaid, the godown keepers of the Central Bank of India Limited are entitled to claim any conveyance allowance in respect of their official visits to godowns to and from the premises of the Bank and, if so, whether such allowance should be paid even in cases where cycles are provided by the Bank for the purpose."

3. Originally the reference in respect of this matter was made to me as Member, Labour Appellate Tribunal by Government Order LR-II-10(77)/58 dated 15th November 1958 and it was numbered as Bank Reference No. 1 of 1958. In the said reference the parties filed their respective written statements but the reference has since been made to me as Industrial Tribunal under the aforesaid Government order dated 14th March, 1959. The parties have adopted the proceedings taken so far, and the reference has been heard as C.G.I.T. No. 1 of 1959.

4. Paragraph 548 of the Bank Award in respect of conveyance allowance is:

"The demand before us under this head is for an allowance for journeys to and from the place of work, the clearing house etc. The Imperial Bank of India Union's demand is that conveyance allowance should be granted to all classes of workmen at the rate of Rs. 15 per month. We are not convinced that the workmen be paid a monthly conveyance allowance. Conveyance allowance meaning thereby the expenses as for going from employee's residence to office or vice versa must be deemed to be included in our pay scale. The only direction that we give is that where an employee incurs expenditure in the performance of bank's work, he should be reimbursed to the extent that the expenditure is fairly and legitimately incurred."

Thus apart from the journey for the purpose of attending the office from the employee's residence if he has to undertake any other journey necessitating conveyance in the per-

formance of bank's work, then the direction is that he should be reimbursed to the extent that the expenditure is fairly and legitimately incurred.

5. It appears in the present case that some of the godown keepers employed under the bank remain in the godowns during working hours, while the others remain in the bank's office during working hours and go to the godowns when directed to do so. The point arising from the claim advanced on behalf of the workmen concerned is whether they are entitled to reimbursement of the expenses incurred by them when they go to the godowns from the office for a certain period and again come back to the office after completing the bank's work. According to the workmen such visits on their part are official visits to the godowns to and from the premises of the Bank. The bank on the other hand alleges that for many years it is maintaining its own bicycles for being used by the godown keepers when they have to go in the course of their work from any of the offices to any of the godowns and therefore any expenditure incurred by godown keepers for going to and returning from the godowns is not expenditure either fairly or legitimately incurred. The question therefore is whether any such provision of bicycles by the bank makes any difference in so far as the workers' right to reimbursement under the direction given in paragraph 548 of the Bank Award is concerned.

6. The present reference has been made because of the demand by the workers of the Central Bank of India represented by the U.P. Bank Employees' Union (Kanpur Unit) and in view of the fact that in this unit there is a provision made for bi-cycles that a question has arisen whether the workmen concerned should not use bicycles instead of claiming reimbursement for expenses incurred in using other means of transport. On behalf of the workmen apart from the merits of the case, it was pointed out that the provision of bicycles is not meant only for the godown keepers but there are other categories of employees also who are required to use the same for performance of their outdoor duties. Unless therefore there is adequate provision for bicycles so as the same would be available whenever required by the godown keepers, it would not be proper to prevent them from making use of any other means of transport. We were told that there are 37 godowns at Kanpur with 16 godown keepers; and obviously, therefore, there should be enough number of bicycles available for the workers, if the Bank desires that they should not incur expense in using any other means of transport. After all it is not the workers' case that any allowance in a lump sum should be fixed; what they urge is that they should be reimbursed to the extent of the actual expenses incurred by them. In the circumstances, after certain discussion, the parties arrived at an amicable settlement and I, therefore, give my decision in terms of the said settlement as per memorandum annexed hereto.

Dated the 20th March 1959.

(Sd.) P. D. VYAS, Judge,  
Central Government Industrial Tribunal Nagpur, at Bombay.

## ANNEXURE

BEFORE SHRI P. D. VYAS, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY  
REFERENCE (CGIT) No. 1 of 1959

BETWEEN

Certain Workmen of the Central Bank of India, Limited represented by the U.P. Bank Employees Union (Kanpur Unit).

AND

The Central Bank of India Limited.

Terms of Agreement

The parties agree to the following settlement and they request this Tribunal to give its decision in terms of the following settlement:

(1) The Bank agrees to increase the pool of bi-cycles at Kanpur by three bi-cycles, and the Union on the other hand agrees that the godown keepers will normally use the bi-cycles except in cases of illness or physical disability in which case the matter will be brought to the notice of the Bank and the Bank, on being satisfied, will permit such godown keeper to use a Cycle Riksha and reimburse him for the actual expense incurred by him.

(2) Normally the Cycle rides for each godown keeper will not exceed 12 miles per day.

20-3-1959.

For the Employees' Union.

(Sd.)  
Council for the Bank.  
20-3-1959.  
For the Central Bank.

(Sd.)  
20-3-1959.

Vice President,  
All India Bank Employees' Association.

Recorded  
P. D. VYAS,  
Industrial Tribunal.

20-3-1959.

K. D. HAJELA, Under Secy.

